

## Message Text

PAGE 01 STATE 106206

43

ORIGIN EUR-12

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DRAFTED BY EUR/EE:HGILMORE:LM

APPROVED BY EUR - J. A. ARMITAGE

L/M - HFSHAMWELL, JR.(SUBS)

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P R 071555Z MAY 75

FM SECSTATE WASHDC

TO AMEMBASSY BELGRADE PRIORITY

INFO AMCONSUL ZAGREB

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E.O. 11652: N/A

TAGS: PFOR, PINS, YO

SUBJECT: INCIDENT INVOLVING CONSUL GENERAL AND MRS.

---- BULAJIC

1. YUGOSLAV AMBASSADOR GRANFIL CALLED ON DEPUTY ASSISTANT SECRETARY ARMITAGE MAY 5 TO EXPRESS GOY'S DEEP CONCERN OVER A MAY 3(4) INCIDENT INVOLVING CONSUL GENERAL BULAJIC (NEW YORK CITY) AND MRS. BULAJIC.

2. GRANFIL DESCRIBED INCIDENT AS FOLLOWS.  
(INSTANCES WHERE NEW YORK CITY POLICY DEPARTMENT (NYPD) VERSION DIFFERS FROM GRANFIL'S ARE NOTED IN PARENTHESES.)

ON THE EVENING OF MAY 3 BULAJIC AND HIS WIFE AND THE DIRECTOR OF THE YUGOSLAV INFORMATION CENTER AND SEVERAL OF THEIR ASSOCIATES ATTENDED A PROGRAM OF YUGOSLAV MUSIC AT THE CRYSTAL PALACE, QUEENS, IN HONOR OF THE 7TH ANNIVERSARY OF THE YUGOSLAV RADIO HOUR. AT ABOUT MIDNIGHT A GROUP OF CROATIAN EXTREMISTS FROM THE SO-CALLED LUBURIC

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PAGE 02 STATE 106206

GROUP TRIED TO DISPERSE THE 700 PERSONS ATTENDING THE PROGRAM, FIRST BY THROWING AMMONIA BOMBS AND WHEN THAT FAILED, BY SHOUTING AND SINGING OFFENSIVE SLOGANS AND SONGS. AT THIS POINT BULAJIC DECIDED TO LEAVE AND

ALLEGEDLY REQUESTED PROTECTION FROM A POLICEMAN ON DUTY IN THE CORRIDOR OF THE BUILDING; THE POLICEMAN REPORTEDLY DID NOT RESPOND. (NYC POLICE HAVE NO RPT NO RECORD OF

SUCH A REQUEST.) AS BULAJIC AND HIS WIFE WERE IN THE PROCESS OF LEAVING, MRS. BULAJIC WAS STRUCK IN THE HEAD BY A BOTTLE AND TEMPORARILY LOST CONSCIOUSNESS. WHEN SHE CAME TO, THEY MADE THEIR WAY TO BULAJIC'S CAR. ENROUTE TO THE CAR, BULAJIC WAS STRUCK IN THE BACK BY A BOTTLE. AN AMBULANCE ARRIVED (IT IS NOT CLEAR WHO CALLED IT) AND TOOK MRS. BULAJIC TO THE HOSPITAL WHERE SHE WAS TREATED FOR CUTS, X-RAYED AND RELEASED. (THE POLICE REPORTEDLY ARRIVED AFTER MR. AND MRS. BULAJIC HAD DEPARTED FOR THE HOSPITAL. (A RADIO CAR OF THE NYCPD WAS ON THE SCENE AT THE TIME OF THE INCIDENT. AT NO TIME DID BULAJIC APPROACH IT AND INFORM THE OFFICER IN IT OF THE EVENTS WHICH HAD TAKEN PLACE.)

3. ACCORDING TO RECORDS OF THE NYPD, BULAJIC TELEPHONED NYPD LATER IN THE MORNING OF MAY 4 AND ASKED TO SPEAK TO A CERTAIN OFFICER HE KNOWS PERSONALLY. WHEN THE OFFICER, WHO WAS NOT ON DUTY MAY 4, TELEPHONED BULAJIC THE FOLLOWING MORNING BULAJIC DESCRIBED THE INCIDENT TO HIM. THE OFFICER INQUIRED WHETHER BULAJIC HAD REPORTED THE INCIDENT TO THE POLICE PRIOR TO THIS TIME AND BULAJIC REPLIED THAT HE HAD NOT.

4. GRANFIL CHARACTERIZED THE INCIDENT AS A "PLANNED AND ORGANIZED ATTACK." AS EVIDENCE FOR THIS STATEMENT, GRANFIL POINTED TO A STATEMENT OF ONE OF THE ATTACKERS WHO, WHEN THE BOTTLE STRUCK MRS. BULAJIC, ALLEGEDLY SAID: "HAVE WE AGREED NOT RPT NOT TO ATTACK WOMEN?" AFTER NOTING THAT BULAJIC HAD BEEN THREATENED SEVERAL TIMES OVER THE PAST TWO YEARS, GRANFIL SAID THE GOY WAS AFRAID THAT IF THOSE WHO ASSAULTED MR. AND MRS. BULAJIC ARE NOT PUNISHED, THEY WILL BE ENCOURAGED TO GO ON AND EVEN KILL SOMEONE. GRANFIL VOICED CONCERN  
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PAGE 03 STATE 106206

THAT TERRORIST ACTIVITIES HAD INCREASED, ESPECIALLY IN RECENT WEEKS. AS EXAMPLE HE CITED THREATS TO FOREIGN SECRETARY MINIC AND CONSUL (CHICAGO) LAKIC AND THE APRIL 25 THREAT TO BOMB THE BUILDING IN WHICH THE YUGOSLAV EMBASSY WAS SHOWING A FILM. THESE THREATS, SAID GRANFIL, HAVE DISTURBED THE NORMAL WORK OF YUGOSLAV ESTABLISHMENTS IN THE US AS WELL AS THE RATHER MODEST CULTURAL ACTIVITIES SPONSORED BY THE GOY. GRANFIL ALSO EXPRESSED CONCERN THAT THESE "TERRORIST THREATS" WOULD CAUSE YUGOSLAV AMERICANS WHO FAVOR NORMAL CONTACTS WITH YUGOSLAV ESTABLISHMENTS TO BE AFRAID TO MAINTAIN SUCH CONTACTS. GRANFIL SAID HE ALSO FEARED THAT THE YUGOSLAV

PRESS, WHICH HAS "PURPOSELY NOT REPORTED" CERTAIN HOSTILE ACTIVITIES OF EMIGRES HERE, MIGHT EXCITE YUGOSLAV PUBLIC OPINION BY PUBLICIZING TERRORIST ACTIVITIES HERE.

5. GRANFIL CONCLUDED HIS PRESENTATION BY STATING THAT THE GOY EXPECTS THE PERPETRATORS OF THE BULAJIC INCIDENT TO BE PROSECUTED AND PUNISHED THAT THAT THE YUGOSLAV EMBASSY HERE BE KEPT INFORMED OF THE RESULTS. BULAJIC AND HIS WIFE WOULD NOT RPT NOT PARTICIPATE IN A TRIAL, SAID GRANFIL, BECAUSE THE GOY COULD NOT AGREE TO A TRIAL IN WHICH A YUGOSLAV OFFICIAL AND A TERRORIST PARTICIPATED ON AN EQUAL FOOTING.

6. ARMITAGE STATED THAT THE USG REGRETS AND DEPLORES THIS INCIDENT. HE REASSURED GRANFIL THAT SUCH ACTIVITIES ARE IN NO WAY CONNECTED WITH OUR POLICY TOWARD OR RELATIONS WITH YUGOSLAVIA. ARMITAGE ALSO EXPRESSED RELIEF THAT MR. AND MRS. BULAJIC HAD NOT BEEN MORE SERIOUSLY INJURED. (IN PERSONAL MEETING WITH BULAJIC AT WORLD TRADE INSTITUTE SEMINAR IN NEW YORK MAY 5, ARMITAGE CONVEYED HIS PERSONAL REGRETS TO BULAJIC.)

7. ARMITAGE OBSERVED THAT USG HAD BEEN ALERT TO THE NEED TO TAKE PRECAUTIONARY MEASURES IN CASES WHERE YUGOSLAV OFFICIALS MIGHT BE INVOLVED IN PUBLIC GATHERINGS OF SOME SIZE. HE STRESSED THAT WHEN SUCH EVENTS COME UP IN THE FUTURE, THE YUGOSLAV SIDE WILL FIND USG READY, AS WE HAVE ALWAYS BEEN IN THE PAST, TO TAKE APPROPRIATE PRECAUTIONARY MEASURES.

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PAGE 04 STATE 106206

8. GRANFIL RESPONDED TO ARMITAGE'S QUESTION WHETHER BULAJIC COULD IDENTIFY THE PERSONS INVOLVED IN THE INCIDENT BY STATING THAT YUGOSLAV OFFICIALS ATTENDING THE PROGRAM HAD IDENTIFIED TWO NEPHEWS OF FORMER USTASHA LEADER MAK S LUBURIC AS AMONG THE TROUBLEMAKERS. (COUNSELOR STRBAC LATER IDENTIFIED THESE NEPHEWS AS SIME AND PERO LUBURIC.) ARMITAGE ALSO STRESSED THE IMPORTANCE OF MUSTERING EVIDENCE AND EARLY NOTIFICATION OF THE POLICE.

9. ARMITAGE ASKED IF GRANFIL MEANT TO IMPLY THAT MR. AND MRS. BULAJIC DO NOT WANT TO FILE CHARGES. IN THIS CONNECTION, ARMITAGE NOTED THAT IF INJURED PARTY DOES NOT RPT NOT WISH TO FILE A COMPLAINT AND ASSIST IN PROVIDING EVIDENTIARY MATERIAL, PROSECUTION WOULD BE VERY DIFFICULT. GRANFIL SAID GOY WAS NOT WILLING TO MAKE A COMPLAINT. THE GOY ASKED FOR THE PROTECTION OF YUGOSLAV OFFICIALS AND THEIR ACTIONS UNDER TERMS OF VIENNA CONSULAR CONVENTION. ARMITAGE OBSERVED THAT HE WAS NOT SUGGESTING THAT BULAJIC BRING A CIVIL SUIT. IN ORDER TO BRING

CRIMINAL CHARGES AGAINST THOSE WHO ALLEGEDLY

PERPETRATED THE INCIDENT, BULAJIC WOULD HAVE TO SWEAR  
OUT A STATEMENT WHICH WOULD SERVE AS THE BASIS FOR A  
CRIMINAL COMPLAINT.

10. COUNSELOR STRBAC, WHO ACCOMPANIED GRANFIL TO THE  
MEETING, THEN SPOKE TO THE QUESTION OF FILING A COMPLAINT.  
IT IS GOY PRINCIPLE, SAID STRBAC, THAT YUGOSLAV  
DIPLOMATIC AND CONSULAR OFFICIALS ABROAD DO NOT RPT NOT  
INITIATE ACTIONS WITH LOCAL COURTS IN CASES OF PHYSICAL  
ASSAULT. STATE ATTORNEYS OF THE HOST GOVERNMENT ARE  
EXPECTED TO FILE SUCH COMPLAINTS. GOY OFFICIALS WOULD  
BE COOPERATIVE IN PROVIDING INFORMATION, BUT GOY REQUESTS  
THAT THE LAW FOR THE PROTECTION OF FOREIGN OFFICIALS BE  
USED AS THE BASIS FOR A CRIMINAL INVESTIGATION OF THE  
BULAJIC INCIDENT.

11. ARMITAGE ASKED THE COUNTRY OFFICER FOR YUGOSLAVIA  
TO HAVE OFFICE OF LEGAL ADVISER LOOK INTO THE LEGAL  
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PAGE 05 STATE 106206

ASPECTS OF FILING A COMPLAINT IN A CRIMINAL CASE IN NEW YORK

12. BEGIN FYI - OFFICE OF THE LEGAL ADVISER ADVISES  
THAT WHILE IT IS TRUE THAT THE GOVERNMENT (STATE OR  
FEDERAL) FILES THE COMPLAINT IN A CRIMINAL CASE, THE  
BASIS OF THAT COMPLAINT IS THE SIGNED STATEMENT OF THE  
COMPLAINING WITNESS WHOSE TESTIMONY AT THE TRIAL IS  
ESSENTIAL IN VIEW OF THE CONSTITUTIONAL GUARANTEE THAT  
THE DEFENDANT HAS THE RIGHT TO BE CONFRONTED WITH THE  
WITNESSES AGAINST HIM IN A CRIMINAL PROCEEDING. AS A  
GENERAL STATEMENT, TESTIMONY PROVIDED OUT OF COURT,  
E.G. THROUGH AFFIDAVITS OR DEPOSITIONS, IS NOT RPT NOT  
ACCEPTABLE IN A CRIMINAL PROCEEDING UNLESS THE  
DEFENDANT CONSENTS TO SUCH PROCEDURE. SUCH CONSENT IS  
UNLIKELY IN MOST CASES. TESTIMONY OF OTHER WITNESSES  
MAY BE USED IN SUPPORT OF THE DEFENDANT, BUT IN ABSENCE  
OF TESTIMONY BY THE PERSON WHO WAS THE OBJECT OF THE  
ALLEGED CRIMINAL OFFENSE, MEETING THE BURDEN OF PROOF  
BEYOND A REASONABLE DOUBT IS IMPROBABLE. END FYI.

13. DEPARTMENT OFFICERS PLAN TO DISCUSS LEGAL ASPECTS  
OF BULAJIC INCIDENT (PER PARA 12) WITH STRBAC MAY 7 OR 8.

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